

**Iowa Department of Human Services
CHILD CARE CENTER COMPLAINT**

Name of Center: Wee Bearz Child Care		Enrollment: 63	License ID: 4177000106
Street: 5191 Maple Drive Suite H	City: Des Moines	IA Zip Code: 50327	County: Polk
Mailing Address: 5191 Maple Drive Suite H			
Mailing City: Des Moines		IA Zip Code: 50327	
Director's Name: Tracey Bolin		Center Phone Number: 515-263-3503	
On-Site Supervisors: Ashley Hoyle		E-Mail Address: bkoala5320@hotmail.com	

Date of Complaint: 10/28/2013

Date of Visit: 10/31/2013

☐ Scheduled ☒ Unannounced ☐ NA

☒ Non-Compliance with Regulations Found ☐ Compliance with Regulations Found ☐ NA

RECOMMENDATION FOR LICENSE

[X] NO CHANGES to licensing status recommended

[] **PROVISIONAL** license from _____ to _____

[] SUSPENSION of License

[] REVOCATION of License

Summary of Complaint:

Initial complaint was a teacher in the infant room named Jessie had pinched a child under the neck and this left a mark. This child also had a red mark on her tummy and no one knew how it got there. She also has picked infants up by one arm. Infants have been called whiners and cry babies and been told to shut up when staff intentionally make loud noises to make the babies cry. The other teacher in the room with Jessie is named Yesenia.

On a later visit, the hands of an infant were not washed after a diaper change. Another child was in a swing for more than 30 minutes.

Licensing Rules Relevant to the Complaint:

109.10(8)b Children's hands are washed after using the restroom or being diapered.

The hands of an infant were not washed after a diaper change.

109.12(5) Environment for children under age two protects from harm but does not unduly restrict development.

An infant was left in a swing for at least 30 minutes. This is considered a restraining device and the amount of time in these devices should be strictly limited.

Inspection Findings:

Initial visit was done 10-31-13, and a follow up visit was done on 11-01-13 and 11-06-13.

During the second visit an infant was in a swing for at least 30 minutes, and an infant's hands were not washed after a diaper change. Infants were sleeping with blankets that were not tucked under the bottom of the mattress. During the third visit the issues had been corrected.

The mother of the child who was pinched under her neck works at the daycare. She said a staff person who abruptly quit told mom the mark under her daughter's neck was from Jessie grabbing her and saying "I'm going to get you". Mom talked to the director and Jessie said she didn't think Jessie caused the mark from grabbing the child and saying "I'm going to get you". Jessie was playing around with all the babies and doing this because it made them laugh. Mom wasn't concerned about the red mark on her baby's

tummy even though she had no idea when or where it happened. Mom does not think Jessie is mean to the babies-she is just loud. Jessie felt bad when she was told someone was accusing her of hurting one of the babies.

Other staff working in other rooms in the center were interviewed and all said Jessie is loud, but they did not think she was mean. She has grabbed and tickled babies under the neck to get them to laugh, not to be mean and not because she was mad at them.

Ashley, the assistant director, has a child in the infant room so spends a lot of time in there. She has seen Jessie tickle the babies under their necks and the babies like it and laugh. Ashley has never seen Jessie be mean or rough to any babies. She has not seen her grab any children by an one arm. She has not heard Jessie call the babies names. Since Ashley spends a lot of time during the day in the infant room, she believes she gets a pretty good insight of a typical day in the infant room, and she has no concerns about the care the infants are given.

Jessie and Yesenia were interviewed separately. Jessie said she is a loud person all the time, that's just the way she has always been. She denied mistreating any babies, and treats them all like she would if they were her own children. She would grab the babies under the neck to make them laugh, and doesn't think she ever grabbed any child hard enough to make them have any mark, or they would have cried and she would have immediately stopped. She does not call the babies names, and does not try to make them cry. That would be stupid to do because then she would have to calm the baby down so they would stop crying. Similar comments were made a few months ago and Jessie felt then, as she does now, that some people don't like her because she isn't friends with everyone at work and they are just trying to cause trouble. She was angry and also hurt that her co-workers would say that wasn't giving the babies good care.

Yesenia started working here in September. She is always in the infant room with Jessie. Jessie has worked here since 2009. Yesenia has no idea where the marks on that baby's neck came from, but was pretty sure it wasn't from Jessie grabbing the babies under their necks when playing with them because she didn't grab them very hard. The babies never cried, they laughed and liked it when Jessie played with them. Yesenia denied hearing Jessie ever call the babies names or tried to make them cry. She said that didn't even make sense that anybody would intentionally try to make a baby cry. She said Jessie does have a loud voice, and Yesenia does too.

Phone conversation with the CCR&R infant and toddler specialist Jenny Shreck. She has been at the center different times but lately has been trying to help with the two year old room so has not been in the infant room. When she has been in the infant room the staff have always been very quiet. She would make a point of spending some time in the infant room.

On a follow up visit the following day, Jessie was off work but Yesenia was working in the baby room with a floater. The floater sat in a chair the whole time holding one child, and at one point commented she didn't change poopy diapers. During this time it was noted there was a child in the swing for at least 30 minutes. When the child made his first noise to indicate he wanted out, Yesenia was quick to remove him from the swing. She was not aware babies shouldn't be left in swings for more than a very short period of time. After changing a baby's diaper Yesenia didn't wash the hands of that child. She didn't know she was supposed to do that with the real little babies. While standing up and holding a small baby in her arms, another child was climbing underneath the rocking chair. Yesenia grabbed the child by one arm and removed her before she hit her head or made the rocking chair go down on her hand. It was also noted that some babies who had blankets in their cribs could pull the blankets up over their faces because the blankets were not tucked underneath the mattress. Best practice recommends no blankets, but if blankets are used, they should be tucked under the mattress so the babies are unable to cover their faces.

The director Tracey, was not aware of any problems in the infant room until all this was just brought to her attention. None of the staff had talked to her about any concerns they had. She has also spent a lot of time over the years in the infant room, and she has never had any concerns about Jessie and the care she gives the babies. Tracey said Jessie and Yesenia both have loud voices, but everybody seems used to it. Tracey is not aware of any name calling or mean teasing done to the infants. She finds it hard to believe that Jessie would pick a child up by one arm unless there was a good reason to do so.

On 11-6-13 another drop in visit was done to the infant room. Both Jessie and Yesenia were working. Jessie said she has grabbed a baby by one arm if the baby is about to get hurt. She never grabs them by one arm any other time. CCR&R had been there and made a few suggestions for room changes which they were liking. Blankets were tucked underneath mattresses. Some information about infants and their care were given to Jessie and Yesenia. This information was from the Caring For Our Children National Health and Safety Performance Standards, DHS Licensing Handbook, and the DHS share that has information about a variety of topics. The information included discipline policy, hand washing, restraining devices, diapering, swaddling, blankets, daily sheets, and importance of tummy time.

Numerous people were interviewed and no one had ever heard Jessie call the infants names or tried to make them cry. Infants are

only picked up by one arm if they are about to be hurt and need to quickly be moved, especially if the staff are already holding a baby in their arms and need to act quickly.

Jessie and Yesenia both agreed there is always room for improvement for everyone, and they were open to suggestions from anyone. They didn't like people going behind their backs and saying things that were untrue. They would also try to work on talking in a softer voice, but they both said they have always been very loud since they were young and didn't know if they would be very successful at changing that.

Special Notes and Action Required:

Continue to work with the consultants from CCR&R. They have already implemented a few room changes to improve the environment. Staff are not allowed to walk through the infant room to get to the adjoining room of two year olds, they now must walk outdoors. Mirrors have been put on the wall at eye level for the babies. The changing table has been moved out of the bathroom and closer to the program area for better sight supervision.

Consultant's Signature:

Cheryl Hinkle

Date:

11/17/2013